

they shall be invested with a succession and a common seal, and shall have full power to hold and convey real and personal property, to sue and be sued; and to pass and ordain such by-laws and ordinances, not inconsistent with the constitution and laws of the United States and of this State, as, from time to time, they, or a majority of them, may deem expedient and advisable for the good government of said town.

Sec. 4. *Be it further enacted*, That said board of commissioners shall have power to appoint a magistrate of police, a town constable, and treasurer; and the constable so appointed shall be the collector of the town tax, under the direction of said commissioners; and for that purpose shall have all the powers and immunities of sheriffs in the collection of public revenue, and shall collect all fines and forfeitures arising by virtue of this act, by warrant before any justice of the peace for said county; and shall receive for his services, the fees which by law the sheriffs and constables of this State have a right to receive for similar services.

Sec. 5. *Be it further enacted*, That it shall be the duty of each person residing or holding property in said town, to deliver to the board of commissioners, whenever required, a statement, on oath, of all the property owned or possessed by such person within the limits of said town liable to be taxed; and on failure to do so when required by the board of commissioners, within one month, shall pay double taxes on all property not given in as above, unless on sufficient excuse shown, to be adjudged of by the board.

Sec. 6. *Be it further enacted*, That said board shall appoint an overseer of the streets, whose duty it shall be to keep them in good and sufficient repair; and for this purpose he is empowered to require the services of all persons residing in said town, liable by law to work on roads, as often as shall be necessary; and in all other respects, shall possess the powers, and be liable to the penalties, to which overseers of roads are now subjected.

Sec. 7. *Be it further enacted*, That all persons living within the limits of said town, liable to work on public roads, be, and they are hereby exempted from working on roads, without the limits of said corporation.

Sec. 8. *Be it further enacted*, That if any of the commissioners elected as by this act required and having been notified thereof ten days, shall refuse or neglect to take the oath prescribed, for one month after said election, unless he shall remove out of the limits of said town, or be otherwise incapable of serving, shall be liable to pay twenty dollars, to the use of said town; for which forfeiture the solicitor for that judicial circuit is hereby required to bring suit, in the name of the commissioners of Hendersonville, in the superior court of law of Henderson county.

Sec. 9. *Be it further enacted*, That all appointments made by the commissioners of Hendersonville, shall be for the unexpired term